

**Notice of Allowability**

Application No.

09/620,348

Applicant(s)

ISHIDA ET AL.

Examiner

Art Unit

Phirin Sam

2661

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/07/2004.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☒ The drawings filed on 09 August 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

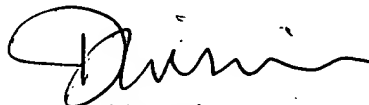
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 072000
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.



**PHIRIN SAM  
PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance:

**Regarding claims 1-8**, prior arts do not disclose a base station controller to control a plurality of base stations communicating with a mobile station, said base station controller comprising a combination of:

- (1) a radio resource controller for maintaining a plurality of links between the mobile station and each of the base stations that the mobile station is currently reachable, said radio resource controller also maintaining separate information indicative of communication quality of each of the links;
- (2) a data distributor connected said radio resource controller for distributing communication data among the links to be transmitted at the corresponding data rate.

**Regarding claims 9-11**, the prior arts do not disclose a mobile station to be communicated with a plurality of base stations, said mobile station comprising a combination of:

- (1) a radio resource controller for maintaining a plurality of links between the mobile station and each of the base stations that the mobile station is currently reachable, said radio resource controller also maintaining separate information indicative of communication quality of each of the links;
- (2) a data distributor connected said radio resource controller for distributing communication data among the links to be transmitted at the corresponding data rate.

**Regarding amended claims 12 and 24**, the prior arts do not disclose a mobile station to be communicated with a plurality of base stations, said mobile station comprising a combination of:

- (1) a plurality of receivers for simultaneously receiving sub frame information from the base stations, the sub frame information indicative of dividing frames of transmission data and data rates;
- (2) a plurality of transmitters connected to said sub frame generator for simultaneously transmitting the sub frames of the transmission data at the data rates.

**Regarding claims 13-20**, the prior arts do not disclose a method of controlling a plurality of base stations that is communicating with a mobile station, comprising a combination of steps:

- (1) maintaining a plurality of links between the mobile station and each of the base stations that the mobile station is currently reachable;
- (2) maintaining separate information indicative of communication quality of each of the links;
- (3) distributing communication data among the links to be transmitted at the corresponding data rate.

**Regarding claims 21-23**, the prior arts do not disclose a method of communicating with a plurality of base stations, comprising a combination of:

- (1) maintaining a plurality of links between the mobile station and each of the base stations that the mobile station is currently reachable;

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- (2) maintaining in the mobile station separate information indicative of communication quality of each of the links;
- (3) distributing communication data among the links to be transmitted at the corresponding data rate.

***Conclusion***

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phirin Sam whose telephone number is (571) 272-3082. The examiner can normally be reached on Mon-Fri, 8:00AM - 4:30PM.

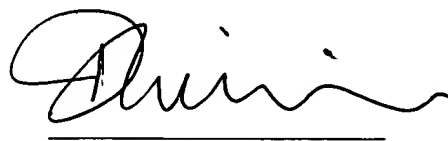
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T Nguyen can be reached on (571) 272 - 3126. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully submitted,

Date: February 13, 2005

A handwritten signature in black ink, appearing to read "Phirin", written over a horizontal line.

**PHIRIN SAM  
PRIMARY EXAMINER**